

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LaMARK FRANKLIN,

Plaintiff,

vs.

RICHARD MORGAN, et al.,

Defendants.

NO. CV-04-5131-FVS

ORDER GRANTING MOTION TO WAIVE
REMAINING BALANCE OF FILING FEE
AND DIRECTING THAT COLLECTION OF
THE FILING FEE CEASE

By Order filed April 11, 2004, the court granted Plaintiff's Motion to Voluntarily Dismiss. However, because Mr. Franklin did not file a separate motion and affidavit to waive the remaining balance of the filing fee as directed, he was still obligated to pay it. After requesting payments be made from his savings account, Mr. Franklin now requests that the filing fee simply be waived (Ct. Rec. 13).

Plaintiff asserts it is a financial hardship for him to continue to pay the filing fee. For good cause shown, **IT IS ORDERED** Plaintiff's Motion (Ct. Rec. 13) is **GRANTED** and the institution having custody of Mr. Franklin shall cease collection of the filing fee in this action, cause number **CV-04-5131-FVS**.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, forward a copy to Plaintiff and close the file. The District Court Executive is further directed to send a copy of this ORDER GRANTING MOTION TO WAIVE REMAINING BALANCE OF FILING FEE AND DIRECTING THAT COLLECTION OF THE FILING FEE CEASE -- 1

1 Order to the Office of the **Department of Corrections, Attn: LFO/COS**
2 **UNIT, P.O. Box 41107, Olympia, WA 98504-1107**, to forward to the
3 appropriate agency having custody of Plaintiff. The District Court
4 Executive also **shall** provide a copy of this Order to the Financial
5 Administrator for the United States District Court, Eastern District
6 of Washington.

7 **DATED** this 16th day of May, 2005.

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9 s/ Fred Van Sickle
10 FRED VAN SICKLE
11 CHIEF UNITED STATES DISTRICT JUDGE
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28 ORDER GRANTING MOTION TO WAIVE REMAINING BALANCE OF FILING FEE AND
DIRECTING THAT COLLECTION OF THE FILING FEE CEASE -- 2